

AFFIDAVIT OF ELKIN O. ARREDONDO
IN SUPPORT OF A CRIMINAL COMPLAINT

I, Elkin O. Arredondo, being duly sworn, state that the following is true to the best of my knowledge, information, and belief:

1. I am a Trooper with the Massachusetts State Police and have been so employed for more than twenty-seven years. Since February 2017, I have been assigned to the Federal Bureau of Investigation ("FBI") Boston Division and I am currently assigned to the Bank Robbery-Violent Crimes Task Force ("VCTF"), where my primary duty is the investigation of violent criminal offenses, including bank robbery offenses. Prior to my current assignment, I was assigned to the Massachusetts State Police Air Wing, the Massachusetts State Police Fire and Explosion Investigation Section, the Massachusetts State Police Gang Unit, the State Police Barracks in Newbury, Medford and Revere. In my current assignment, in the VCTF I have participated in hundreds of bank robbery investigations. During the course of these investigations, I have executed search and arrest warrants, utilized informants, interviewed witnesses, and conducted surveillances.

2. I am aware that Title 18 of the United States Code, § 2113(a), makes it a crime for anyone to use force and violence, or intimidation, to take money belonging to or in the care, custody, control, management, or possession of any federally-insured financial institution.

3. I make this affidavit in support of a criminal complaint charging Nicholas O'Neil, DOB: XX/XX/1983, with the September 22, 2020 robbery of a branch of the Santander Bank, located at 1866 Main Street, Tewksbury, Massachusetts. On the date of the robbery, Santander Bank was insured by the Federal Deposit Insurance Corporation.

4. The facts stated herein are based on my own personal involvement with this investigation, as well as from information provided to me by other law enforcement officers involved in the investigation. In submitting this affidavit, I have not included each and every fact known to me about this investigation; rather, I am only submitting enough evidence necessary to establish the requisite probable cause.

SANTANDER BANK September 22, 2020

5. On September 22, 2020 at approximately 9:55 am, a white male entered a branch of the Santander Bank, located at 1866 Main Street in Tewksbury, Massachusetts. I understand

that, on that date, the deposits of Santander Bank were insured by the Federal Deposit Insurance Corporation.

6. According to bank employees the individual ("the Robber") approached a teller's station and showed the teller a note, which the teller recalled in substance read, "10's 20's 50's 100's, both drawers no trace no dye you have one minute." The Robber then took the note back and handed teller a red cloth bag. The teller took the red bag and proceeded to remove currency from the cash drawer and place it into the red bag. As the teller was placing the bank's currency into the red bag, the Robber stated, words to the effect, "The second drawer too." The teller then handed the red bag back to the Robber and he, the Robber, exited the bank.

7. Following the robbery, the bank employees described the Robber as a white male, approximately 5'3" tall, short gray hair, and that he was wearing a hooded sweatshirt with a black mask, black jacket and dark pants.

8. Bank surveillance cameras were functioning and operating on the date of the robbery. The cameras captured images of the robber as he entered the bank, interacted with the teller, and then exited the bank.

9. A post-robbery audit determined that the Robber had

taken \$5,689.00 in U.S. currency during the robbery.

THE PURSUIT AND ARREST OF O'NEIL

10. As the Robber was exiting the bank, a customer entered the bank and approached the teller's window. The teller stated to the customer, words to the effect, "That guy just robbed us." The customer then exited the bank and observed the Robber approach, and then enter, the passenger side of a White Ford Ranger pickup truck ("the pickup truck"), bearing Massachusetts Registration XXXJ21. The pickup truck then exited the bank's parking lot. The customer then entered his vehicle and followed the pickup truck. As the customer was following the pickup truck, he, the customer, called the Tewksbury Police Department and advised them of the situation and the direction the pickup truck was heading. The Tewksbury Police Department received this information and then issued a BOLO ("Be On the Lookout") alert. Within moments, a Tewksbury Police Officer, who heard the BOLO, observed the pickup truck being operated by a white female in stuck in traffic. The Tewksbury officer positioned his cruiser in front of the pickup truck and, with the assistance of other responding Tewksbury officers, conducted a vehicle stop.

10. The operator of the vehicle, later determined to be

Sara Diaz-Lebel ("Diaz-Lebel") was removed from the vehicle and placed in handcuffs without incident.

11. The passenger in the pickup truck, later identified as O'Neil, was removed from the truck and placed in handcuffs. During a search of O'Neil's person, law enforcement recovered, among other things, a piece of ripped paper. Written on the paper were the words, "10s 20s 100s Both draws no dye have 1 min." (sp)

12. Law enforcement conducted an inventory search of the pickup truck and recovered, among other things, a red cloth bag, containing U.S. Currency, a black jacket, and a baseball hat.

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CONCLUSION

13. Based on the foregoing, I submit there is probable cause to believe that on September 22, 2020, Nicholas O'Neil, by force and violence, and by intimidation took from the person and presence of another, money in the care, custody, control, management and possession of the Santander Bank, a bank insured by the Federal Deposit Insurance Corporation, in violation of 18 U.S.C. § 2113(a).

/s/ Elkin O. Arredondo

Elkin O. Arredondo, Trooper
Massachusetts State Police
FBI Task Force Officer
Sworn telephonically pursuant
To Fed.R.Crim.P.41(d)(3)

SUBSCRIBED and SWORN to telephonically in accordance with
Federal Rule of Criminal Procedure 4.1 on
this 13th day of October 2020

Marianne B. Bowler USMJ
HON. MARIANNE B. BOWLER
United States Magistrate Judge

